

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2025

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HOUSE BILL 609

Short Title: Option for Raw Milk Consumption. (Public)

Sponsors: Representatives Winslow, Riddell, Adams, and McNeely (Primary Sponsors).
For a complete list of sponsors, refer to the North Carolina General Assembly web site.

Referred to: Agriculture and Environment, if favorable, Rules, Calendar, and Operations of the House

April 1, 2025

1 A BILL TO BE ENTITLED
2 AN ACT TO ALLOW ADDITIONAL SALES OF NATURAL, UNPASTEURIZED MILK.
3 The General Assembly of North Carolina enacts:

4 **SECTION 1.** G.S. 106-266.35 reads as rewritten:

5 **"§ 106-266.35. Sale or dispensing of milk.**

6 (a) Except as provided in subsection (d) of this section:

7 (1) Only milk that is Grade "A" pasteurized milk may be sold or dispensed
8 directly to consumers for human consumption.

9 (2) Raw milk and raw milk products shall be sold or dispensed only to a permitted
10 milk hauler or to a processing facility at which the processing of milk is
11 permitted, graded, or regulated by a local, State, or federal agency.

12 (b) The Board of Agriculture may adopt rules to provide exceptions for dispensing raw
13 milk and raw milk products for nonhuman consumption. Any raw milk or raw milk product
14 dispensed as animal feed shall include on its label the statement "NOT FOR HUMAN
15 CONSUMPTION" in letters at least one-half inch in height. ~~Any raw milk or raw milk product~~
16 ~~dispensed as animal feed shall also include on its label the statement "IT IS NOT LEGAL TO~~
17 ~~SELL RAW MILK FOR HUMAN CONSUMPTION IN NORTH CAROLINA."~~ This labeling
18 requirement does not apply to raw milk or raw milk products dispensed for personal use or
19 consumption to the independent or partial owner of a cow, goat, or other lactating animal.

20 (c) As used in this section, the term "sale" or "sold" means any transaction that involves
21 the transfer or dispensing of milk and milk products or the right to acquire milk and milk products
22 through barter or contractual arrangement or in exchange for any other form of compensation.
23 The term "sale" or "sold" does not include the transfer or dispensing of raw milk or raw milk
24 products to, or the right to acquire raw milk or raw milk products by, the independent or partial
25 owner of a cow, goat, or other lactating animal.

26 (d) Nothing in this section shall prohibit the dispensing of raw milk or raw milk products
27 for personal use or consumption ~~to, or the~~ under the following circumstances:

28 (1) The acquisition of raw milk or raw milk products for personal use or
29 consumption by, by an independent or partial owner of a cow, goat, or other
30 lactating animal.

31 (2) Sale of grade "A" raw milk, cream, and raw milk products as set forth in
32 G.S. 106-266.35A."

33 **SECTION 2.** Article 28C of Chapter 106 of the General Statutes is amended by
34 adding a new section to read:



"§ 106-266.35A. Retail sale of raw milk and raw milk products.

(a) The following definitions apply in this section:

- (1) Department. – The Department of Agriculture and Consumer Services.
- (2) Eligible farmer. – The owner or operator of a farm producing raw milk or raw milk products.
- (3) Farm of origin. – The farm where the raw milk or raw milk product was bottled or created and placed in containers.
- (4) Farm stand. – A structure used for the display and sale of dairy products and other farm commodities that is no more than 1,000 square feet in size and which offers for sale to the public dairy products and agricultural commodities grown or produced by the owner or operator of the farm stand.
- (5) On the farm. – With respect to the location of permissible sales of raw milk and raw milk products, at the farm of origin or at a farm stand owned or operated by the owner of that farm in a different location in this State within 100 miles of the farm of origin. This term does not include a restaurant, snack bar, soda fountain, or similar establishment selling prepared foods to the public.
- (6) Raw milk license. – A license issued by the Department to the owner or operator of a farm that allows the sale or dispensing of raw milk and raw milk products to consumers for personal use or consumption on the farm.
- (7) Raw milk product. – Cream, cottage cheese, buttermilk, butter, kefir, and other cheeses made from grade "A" raw milk.

(b) The Department may issue a raw milk license for a period not to exceed one year and subsequent license renewals for a like term to an eligible party if the following conditions are met:

- (1) The Department inspects the farm owned or operated by the eligible farmer and determines that the farm is in compliance with the applicable provisions of this Article and all other federal and State requirements applicable to grade "A" milk with the exception of a requirement for pasteurization.
- (2) The eligible farmer provides confirmation in a form and manner as the Department may specify that all cows used in the production of raw milk sold under this section or used for the production of raw milk products sold pursuant to this section are free from tuberculosis and brucellosis. This confirmation must be repeated annually.
- (3) The eligible farmer provides the Department a copy of the report from an annual veterinary examination report. The report must reflect that, upon physical examination, the subject animals are in apparent good health and free from evidence of communicable disease. The veterinary examination must be repeated annually.
- (4) Unless the farm obtains water through a public or municipal water system, the eligible farmer has the farm water supply tested and provides the Department with confirmation that the water is bacteriologically safe. The water testing must be repeated every six months. The requirement of a bacteriologically safe water supply is also applicable to recirculated cooling water if the dairy farm uses a recirculated cooling water system for milk cooling.
- (5) The eligible farmer agrees to comply with regular sampling and testing requirements of raw milk samples. Samples must be analyzed at a laboratory approved by the Department and comply with the following standards:
 - a. Raw milk shall be cooled to 40°F (4°C) or less within two hours after milking, provided that the blend temperature after the first and subsequent milking does not exceed 50°F (10°C).

- 1 b. Bacteria may not be present in excess of 5,000 per milliliter when
2 tested no less than once every two months in conjunction with a drug
3 residue/inhibitory substance test.
- 4 c. Coliform may not exceed 10 per milliliter when tested no less than
5 once every two months in conjunction with a drug residue/inhibitory
6 substance test.
- 7 d. The somatic cell count may not exceed 750,000 per milliliter, tested
8 no less than once every two months.
- 9 e. Testing of a bulk tank sample shows no presence of pathogenic
10 bacteria, including Salmonellae, Listeria monocytogenes,
11 Camphylobacter, and E. Coli 0157:H7. This testing must be performed
12 no less than once every six months.
- 13 (6) The eligible farmer agrees to comply with all of the following labeling and
14 product display requirements:
- 15 a. The raw milk and raw milk products are displayed for sale separately
16 from and are not commingled with pasteurized dairy products at a
17 display that is clearly marked with signs or otherwise as "raw milk" or
18 "raw milk products."
- 19 b. The principal display panel of the label on raw milk or a raw milk
20 product shall prominently state "Raw milk: not pasteurized and may
21 contain organisms injurious to your health." In each case, the label
22 statement shall appear in conspicuous and easily legible bold-faced
23 print or type in distinct contrast to other matter on the package."

24 **SECTION 3.** The Board of Agriculture shall adopt permanent rules and may adopt
25 temporary rules to implement this act.

26 **SECTION 4.** This act becomes effective January 1, 2026.